

## **AIHEC Comments on FCC Educational Broadband Service 2.5 GHz Rulemaking August 8, 2018**

On behalf of the nation's 38 Tribal Colleges and Universities (TCUs), who together are the American Indian Higher Education Consortium (AIHEC), we write to respectfully submit the following comments in response to the Federal Communications Commission's Notice of Proposed Rulemaking concerning the *Transforming of the 2.5 GHz Band* (WT Docket No. 18-120; DA 18-647).

### **AIHEC Background**

Since 1973, AIHEC has served as the collective voice for the nation's TCUs, advocating on behalf of these unique higher education institutions defined and controlled by their respective Tribal nations. Today, despite decades of chronic under-funding, the more than 75 campuses of the nation's 38 TCUs are educating thousands of American Indians and Alaska Nations from well over 250 federally recognized Indian tribes.

Tribal Colleges and Universities serve their communities in ways far beyond college level programming. They provide much needed high school equivalency programs and testing, basic remediation, job training, college preparatory courses, and adult education programs. They function as community centers, libraries, tribal archives, career and business centers, economic development centers, and childcare centers. These additional services are necessary, as an underlying goal of all Tribal Colleges is to improve the lives of students through higher education and to move American Indians towards self-sufficiency.

### **FCC Educational Broadband Service 2.5 GHz Proposed Rulemaking**

We understand that in order to generate more widespread use of unused 2.5 GHz spectrum, the new rule would establish three local priority-filing windows for new EBS License issuance:

1. A window for existing licensees, allowing them to expand their service to the county boundaries
2. A window for Tribal Nations located in rural areas
3. A window for "new educational entities that do not currently hold any 2.5 GHz EBS licenses

Any spectrum remaining after these priority windows will be available for commercial use through competitive bidding.

### **Relevance to Tribal Colleges and Universities (TCUs):**

- A high percentage of TCUs students do not have Internet access at home which puts them at a significant disadvantage in participating in distance learning programs, submitting homework assignments, and conducting Internet research. EBS could provide a solution for providing students and community members access to Internet and TCU educational programming;
- Given sustainable and affordable technology solutions, TCUs could provide broadband services to their students and community members (similar to the NTU *Internet to the Hogan*<sup>1</sup> project). Accredited TCUs should be encouraged to pursue EBS licenses under the third window if available.

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<sup>1</sup> Grey, S. (2007, February) Navajo Technical College Take Internet to Hogan. *Tribal College Journal*, Vol. 18 (No. 3), Retrieved from <https://tribalcollegejournal.org/navajo-technical-college-takes-internet-hogans/>

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- Under the proposed rule, with an earlier priority window Tribes wishing to acquire EBS licenses would have precedence over their TCUs. This is acceptable. Tribal nations could acquire EBS licenses and provide a broadband services solution for all educational institutions within their boundaries, ideally in partnership with their TCUs.

**Comments on the Notice of Proposed Rulemaking on behalf of TCUs:**

- We support the priority windows as defined, and request that TCUs be specifically included in the higher education priority window;
- In supporting a separate priority window for Tribal Nations, we also support the use of a license area that aligns more with the geographic boundaries of the Tribal Nation, as opposed to county boundaries, even should this result in some loss of efficiency;
- We support the proposal that participation by new higher education licensees be limited to accredited institutions with a local presence;
- Regardless of who receives the EBS licenses, the educational intent of EBS must be preserved. Even if commercial providers such as Sprint acquire licenses, or lease from Tribal or educational institution license holders, the requirement must be maintained that a significant percentage of broadband services delivered within the EBS reserved spectrum range support educational programming.